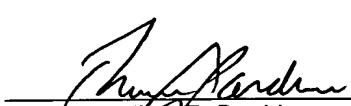


(1390 REV. 5-93) US DEPT. OF COMMERCE - PATENT & TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 11198
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		
INTERNATIONAL APPLICATION NO. PCT/FR00/02481	INTERNATIONAL FILING DATE September 8, 2000	PRIORITY DATE CLAIMED September 10, 1999
TITLE OF INVENTION SINGLE STRANDED OLIGONUCLEOTIDES, PROBES, PRIMERS AND METHOD FOR DETECTING SPIROCHETES		
APPLICANTS FOR DO/EO/US Didier RAOULT et al.		
<p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</li> <li>4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</li> </ol> </li> <li>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventors (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> </ol> <p><b>Items 11. to 16. below concern other document(s) or information included:</b></p> <ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A <b>FIRST</b> preliminary amendment. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>14. <input type="checkbox"/> A substitute specification.</li> <li>15. <input type="checkbox"/> Entitlement to small entity status is hereby asserted.</li> <li>16. <input checked="" type="checkbox"/> Other items or information: Response to Notificaiton of Missing Requirements Declaration Already Filed</li> </ol>		

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) 10/070,134	INTERNATIONAL APPLICATION NO. PCT/FR00/02481	ATTORNEY'S DOCKET NUMBER 111985																																																		
17. <input type="checkbox"/> The following fees are submitted:		CALCULATIONS	PTO USE ONLY																																																	
<b>Basic National fee (37 CFR 1.492(a)(1)-(5)):</b> Search Report has been prepared by the EPO or JPO ....\$890.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) .....\$710.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) .....\$740.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO .....\$1,040.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4) .....\$ 100.00																																																				
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		\$																																																		
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).  <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; padding: 2px;">Claims</th> <th style="text-align: left; padding: 2px;">Number Filed</th> <th style="text-align: left; padding: 2px;">Number Extra</th> <th style="text-align: left; padding: 2px;">Rate</th> <th style="text-align: left; padding: 2px;"></th> </tr> </thead> <tbody> <tr> <td style="padding: 2px;">Total Claims</td> <td style="padding: 2px;">- 20 =</td> <td style="padding: 2px;"></td> <td style="padding: 2px;">X \$ 18.00</td> <td style="padding: 2px;">\$</td> </tr> <tr> <td style="padding: 2px;">Independent Claims</td> <td style="padding: 2px;">- 3 =</td> <td style="padding: 2px;"></td> <td style="padding: 2px;">X \$ 84.00</td> <td style="padding: 2px;">\$</td> </tr> <tr> <td colspan="3" style="padding: 2px;">Multiple dependent claim(s)(if applicable)</td> <td style="padding: 2px;">+ \$280.00</td> <td style="padding: 2px;">\$</td> </tr> <tr> <td colspan="4" style="text-align: right; padding: 2px;"><b>TOTAL OF ABOVE CALCULATIONS =</b></td> <td style="text-align: right; padding: 2px;">\$</td> </tr> <tr> <td colspan="4" style="text-align: right; padding: 2px;">Reduction by 1/2 for filing by small entity, if applicable.</td> <td style="text-align: right; padding: 2px;">- \$</td> </tr> <tr> <td colspan="4" style="text-align: right; padding: 2px;"><b>SUBTOTAL =</b></td> <td style="text-align: right; padding: 2px;">\$</td> </tr> <tr> <td colspan="4">         Processing fee of \$130.00 for furnishing the English translation later than  <input type="checkbox"/> 20 <input type="checkbox"/> 30 month from the earliest claimed priority date (37 CFR 1.492(f)).    <b>TOTAL NATIONAL FEE =</b> </td> <td style="text-align: right; padding: 2px;">\$</td> </tr> <tr> <td colspan="4"></td> <td style="text-align: right; padding: 2px;">Amount to be refunded \$</td> </tr> <tr> <td colspan="4"></td> <td style="text-align: right; padding: 2px;">Charged \$</td> </tr> </tbody></table>		Claims	Number Filed	Number Extra	Rate		Total Claims	- 20 =		X \$ 18.00	\$	Independent Claims	- 3 =		X \$ 84.00	\$	Multiple dependent claim(s)(if applicable)			+ \$280.00	\$	<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	Reduction by 1/2 for filing by small entity, if applicable.				- \$	<b>SUBTOTAL =</b>				\$	Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 month from the earliest claimed priority date (37 CFR 1.492(f)).  <b>TOTAL NATIONAL FEE =</b>				\$					Amount to be refunded \$					Charged \$	
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a. <input type="checkbox"/> Check No. ____ in the amount of \$____ to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. ____ in the amount of \$____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 15-0461. A duplicate copy of this sheet is enclosed.																																																				
<b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b>																																																				
<b>SEND ALL CORRESPONDENCE TO:</b> OLIFF & BERRIDGE, PLC P.O. Box 19928 Alexandria, Virginia 22320																																																				
 NAME: Thomas J. Pardini REGISTRATION NUMBER: 30,411																																																				
Date: <u>October 18, 2002</u>																																																				

**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Didier RAOULT et al.

Application No.: 10/070,134

ATTN: PCT Branch

Docket No.: 111985

Filed: April 15, 2002

For: SINGLE STRANDED OLIGONUCLEOTIDES, PROBES, PRIMERS AND  
METHOD FOR DETECTING SPIROCHETES

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

**UNDER 35 U.S.C 371 IN THE UNITED STATES**

**DESIGNATED/ELECTED OFFICE (DO/EO/US)**

**DECLARATION ALREADY FILED**

Director of the U.S. Patent and Trademark Office  
Washington, D.C. 20231

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C 371 in the United States Designated/Elected Office (DO/EO/US) (copy attached) mailed on August 30, 2002, the executed Declaration of the inventors was filed on April 15, 2002. A copy of the executed Declaration as filed and a copy of the Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371 are attached hereto. The surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)) was also paid on April 15, 2002 with our Check No. 129804 for \$130.00.

Entry of these documents on April 15, 2002 should have completed all of the filing formalities. Accordingly, prompt issuance of a Notification of Acceptance and Filing Receipt, and prompt examination and allowance of this application are respectfully solicited.

The Director is hereby authorized to charge any additional fee (or credit any overpayment) associated with this communication to Deposit Account No. 15-0461.

Respectfully submitted,



William P. Berridge  
Registration No. 30,024

Thomas J. Pardini  
Registration No. 30,411

WPB:TJP/cmm

Date: October 18, 2002

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

<b>DEPOSIT ACCOUNT USE AUTHORIZATION</b> Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461
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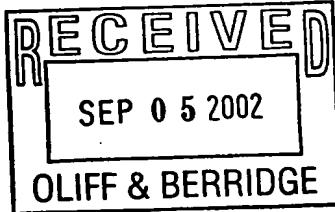


## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20233  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/070,134	Didier Raoult	111985

William P Berridge  
 Oliff & Berridge  
 PO Box 19928  
 Alexandria, VA 22320



INTERNATIONAL APPLICATION NO.

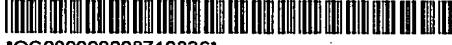
PCT/FR00/02481

I.A. FILING DATE

09/08/2000

PRIORITY DATE

CONFIRMATION NO. 9525  
 371 FORMALITIES LETTER



\*OC00000008710836\*

Date Mailed: 08/30/2002

## MISSING PARTS

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Preliminary Amendments
- Request for Immediate Examination

## DUE DATE

OCT 30 2002

DOCKETED  
 By WPS on 9/5 2002  
 and  
 By JMM on 9/5 2002  
 Oliff & Berridge

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- **APPLICANT MUST PROVIDE:**
  - An initial or substitute computer readable form (CRF) of the "Sequence Listing."

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

MAMIE P PERSON

Telephone: (703) 305-3737

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/070,134	PCT/FR00/02481	111985

FORM PCT/DO/EO/905 (371 Formalities Notice)